

**McELROY, DEUTSCH, MULVANEY &  
CARPENTER, LLP**

1300 Mt. Kemble Avenue

P.O. Box 2075

Morristown, New Jersey 07962

(973) 993-8100

(973) 425-0161 (fax)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**KIMBERLEE WILLIAMS**, individually, as personal representative of the Estate of Charles L. Williams, deceased on behalf of said estate, and as representative of others similarly situated, **NANCY PEASE**, individually, as personal representative of the Estate of William Clark, deceased on behalf of said estate, and as representative of others similarly situated; **MARILYN L. HOLLEY**, as personal representative of the Estate of Kathryn Darnell, deceased on behalf of said estate, and as representative of others similarly situated; **DONNA WARE**, individually as personal representative of the Estate of Ralph Ware, deceased on behalf of said estate, and as representative of others similarly situated; and **DONNETTE WENGERD**, individually, as personal representative of the Estate of Jennifer Graham, deceased on behalf of said estate, and as representative of others similarly situated, **ROSANNE CHERNICK**, individually, as personal representative of the Estate of Steven Chernick, deceased on behalf of said estate, and as representative of others similarly situated,

Plaintiffs,

v.

**BASF CATALYSTS LLC, CAHILL GORDON & REINDEL LLP, CAHILL GORDON & REINDEL**, a partnership including a professional corporation, **THOMAS D. HALKET, ARTHUR A. DORNBUSCH II, GLEN HEMSTOCK, HOWARD G. SLOANE (A/K/A "PETER SLOANE"), IRA J. DEMBROW, SCOTT A. MARTIN, JOHN DOE BUSINESS ENTITIES 1 to 100; JOHN DOE BUSINESS ENTITIES 101 to 200; JOHN DOE LAWYERS 1 to 500; and, JOHN DOE 1 to 500,**

Defendants.

Civil Action No.: 11-cv-1754 (JLL)(JAD)

Hon. Jose L. Linares, U.S.D.J.

**Civil Action**

**NOTICE OF MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED  
COMPLAINT**

**ORAL ARGUMENT REQUESTED**

**Document Electronically Filed**

**PLEASE TAKE NOTICE** that on a time and date determined by the Court, Defendant Glen Hemstock, by and through his attorneys, McElroy, Deutsch, Mulvaney & Carpenter LLP, will move before the Hon. Jose L. Linares, U.S.D.J., at the United States District Courthouse, 50 Walnut Street, Newark, New Jersey for an Order dismissing plaintiffs' second amended complaint pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure.

**PLEASE TAKE FURTHER NOTICE** that Defendant Glen Hemstock will rely on the Memorandum of Law submitted herewith, as well as all papers on file, in support of the motion.

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested.

**PLEASE TAKE FURTHER NOTICE** that a proposed Order is submitted herewith.

Respectfully submitted,

/s/ Walter F. Timpone  
Walter F. Timpone  
McELROY, DEUTSCH, MULVANEY &  
CARPENTER, LLP  
1300 Mount Kemble Avenue  
P.O. Box 2075  
Morristown, NJ 07962-2075  
*Attorneys for Defendant, Dr. Glen Hemstock*

Dated: September 25, 2015